
Agenda
Regular Meeting
April 22, 2015

Attendance: Mayor Kenneth Neilson, Councilmen Garth Nisson, Kress Staheli, Ronald Truman, Jeff Turek, City Manager Roger Carter, City Attorney Jeff Starkey, Public Works Director Mike Shaw, Community Development Director Drew Ellerman, Leisure Services Director Barry Blake, Police Chief Jim Keith, Audience: Kevin Lewis, Jim Price, Michelle Fleming, Eric Fleming, Fred Buska, Mary Buska, Mike Buska, Daniel Buska, James Jessop, Jason Smith, Jim Raines, Brandee Walker

Excused: Councilman Thad Seegmiller

Meeting commenced at 6:00 P.M.

Invocation: Councilman Turek

Pledge of Allegiance: Councilman Staheli

1. APPROVAL OF THE AGENDA

Councilman Staheli made a motion to approve the agenda. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

2. ANNOUNCEMENTS

A. Recognition from Utah Recreation Parks Association for Outstanding Program to the Washington City Community Center - Events for accomplishments in Events for 2015. Leisure Service Director Barry Blake

Removed

B. Introduction of the 2015 Washington City Royalty. Mayor Kenneth Neilson

Mayor Neilson introduced the 2015 Washington City Royalty.

Councilman Turek reminded everyone about the annual Cotton Day's celebration begins Saturday, April 25, 2015.

3. **DECLARATION OF ABSTENTIONS & CONFLICTS**

None

4. **CONSENT AGENDA**

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 04/07/2015 and 04/08/2015.

Councilman Staheli made a motion to approve the minutes from 04/07/2015. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

5. **PUBLIC HEARINGS AND RELATED ORDINANCES**

A. Public Hearing for the consideration to approve a Zone Change application Z-15-04, requesting to change the present zone from A-20 (Agriculture) to R-1-12 (Residential 12,000 sq. ft. lots) the property is located at approximately 1670 S. Washington Fields Road. Applicant: Jim Price, Verballi Contractors

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval to change the zoning of approximately 1.57 acres, located approximately at 1670 South Washington Fields Road. The requested change is from the current zoning of Agricultural - 20 acre min. (A-20) to a proposed Single-Family Residential - 12,000 Sq. Ft. Min. (R-1-12) zoning designation. These parcels came into the city through the annexation process many years ago with the existing two (2) homes already built. A developer is wishing to built three (3) more homes on the existing vacant lots and is wishing to have them rezoned for setback issues. Agricultural 20 acre zoning requires a much larger setback than the Single-Family Residential zones.

The General Plan Land Use Designation for this location is Low Density Residential (LD). The surrounding zoning to this parcel is R-1-12, PUD and RA-½ to the east, and A-20 to the north, west, and south.

The Planning Commission unanimously recommended approval of Z-15-04, for the zone change request from Agricultural - 20 acre min. (A-20) to Single-Family Residential - 12,000 Sq. Ft. Min. (R-1-12), to the City Council, based on the following findings.

Findings

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. The the utilities that will be necessary for this type of development will be readily accessible to the site.

Councilman Truman asked if the applicant plans to cut additional hillside.

Community Development Director Ellerman explained there would not be additional cuts to the hillside. The easements are already in place for the entrance and exit to the lots.

Councilman Staheli asked if the existing road dead ends at the north.

Community Development Director Ellerman stated it does. He hopes one day in the future, the road would continue and connect to Heritage Fields.

No public comments were made.

Councilman Truman made a motion to close the public hearing. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

B. Consideration to approve an Ordinance adopting Zone Change request Z-15-04, to change present zone from A-20 to R-1-12.

Councilman Truman made a motion to approve an Ordinance adopting Zone Change request Z-15-04, to change present zone from A-20 to R-1-12. Councilman Nisson seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

6. FINAL PLAT

A. Consideration to approve the final plat for Roadrunner Ridge Phase 2, located at approximately 800 East 3500 South. Applicant: Roadrunner Ridge Development LLC

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for the Roadrunner Ridge, Phase 2 subdivision, located at approximately 800 East 3500 South. This particular subdivision is proposing 13 lots on an area covering 4.82 acres. The specific location of this subdivision is

zoned Single-Family Residential - 15,000 Sq. Ft. Min. (R-1-15) and Residential Agricultural One Ac. Min. (RA-1) w/ Bonus Density Credits. The Preliminary Plat was approved back on October 9, 2013.

Staff recommends that the Planning Commission recommend approval of the Final plat for the Roadrunner Ridge, Phase 2 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved amended preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Councilman Staheli asked for clarification on the roads, which are half roads currently.

Community Development Director Ellerman explained there are two separate developments meeting. He reviewed the final plans for the completed roads once development has been completed.

Councilman Turek made a motion to approve the final plat for Roadrunner Ridge Phase 2, located at approximately 800 East 3500 South with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Nisson seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

B. Consideration to approve the final plat for the Reserve at Green Spring Phase 1, located at approximately 1200 West 1700 North. Applicant: Brennan Holdings No 100 LLC

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for the Reserve at Green Spring, Phase 1 subdivision, located at approximately 1200 West 1700 North. This particular subdivision is proposing 21 lots on an area covering 9.27 acres. The specific location of this subdivision is zoned Single-Family Residential - 8,000 Sq. Ft. Min. (R-1-8). The Preliminary Plat was approved back on August 27, 2014.

Staff has reviewed the requested proposal, and the proposed final plat, conforms to the approved amended preliminary plat.

The Planning Commission unanimously recommended approval of the Final plat for the Reserve at Green Spring, Phase 1 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved amended preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Councilman Staheli clarified the use of the property to the west.

Community Development Director Ellerman explained the developer originally wanted to place a trailhead.

Jim Raines stated the HCP overruled the original decision, and they are going to allow a step-over trail to the reserve property.

Councilman Truman made a motion to approve the final plat for for the Reserve at Green Spring Phase 1, located at approximately 1200 West 1700 North with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

7. PLAT AMENDMENT

**A. Consideration to approve a plat amendment for Rio Virgin Industrial Park Phase 2, by combining lots 203, 204, and 205 located at 1473 S. Sandhill Drive.
Applicant: Fred Buska**

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of an Amended and Extended Final Plat for the Rio Virgin Industrial Park, Phase 2 subdivision, located at approximately 1473 South Sandhill Drive. The reason for this amendment and extension request, is due to the combining of parcels (203, 204 and 205) which will eliminate lot lines and the extension of property into this same area from the adjoining property to the east (Mahas property).

Staff has reviewed the proposed amended final plat and finds it conforms to the PUD zoning that is part of this development approval. The subdivision also remains in compliance to the Subdivision Ordinance of the City.

The Planning Commission unanimously recommended approval of the Second Amended Final Plat for the Rio Virgin Industrial Park, Phase 2 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The amended final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the amended final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

No comments or concerns were made.

Councilman Turek made a motion to approve a plat amendment for Rio Virgin Industrial Park Phase 2, by combining lots 203, 204, and 205 located at 1473 S. Sandhill Drive with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Staheli seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

8. PRELIMINARY PLAT

A. Consideration to approve a preliminary plat for NuTeam Industrial Park, located at approximately 1275 South 1900 East. Applicant: James Jessop

The applicant is requesting approval of a preliminary plat for the NuTeam Industrial Park subdivision, located at approximately 1275 South 1900 East. The applicant is wishing to develop 7 lots on an area covering 4.555 acres. The location of this particular project is zoned Heavy Industrial (I-2).

The request meets the zoning regulation requirements and all other city ordinances as it relates to this location. Staff has reviewed the request and recommends that the proposed subdivision be approved with conditions as outlined in this report.

The Planning Commission unanimously recommended approval of the Preliminary Plat for the NuTeam Industrial Park subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning Regulations and the Subdivision Ordinance as conditioned.

Conditions

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:

- A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. Shared access agreement will need to be provided for Lot #7 before the recording of the final plat.
12. A Post Construction Maintenance Agreement needs to be recorded prior to the Final Plat recordation.
13. The Dennett East Industrial Park will have to be amended with the dedication of the proposed roadway (public right-of-way) before this plat will be considered for final plat submittal.
14. Applicant is to work with the owner of Lot #4 of the Dennett East Industrial Park and get things straightened out as it pertains to retaining walls and placement of the proposed roadway which encroaches lot four at the southeast corner of said lot.

Councilman Staheli asked for clarification on the location of the property.

Community Development Director Ellerman reviewed the location on the map along with the access to the property.

Councilman Truman made a motion to approve a preliminary plat for NuTeam Industrial Park, located at approximately 1275 South 1900 East with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Nisson seconded the motion; which passed with the following roll call vote:

Councilman Nisson	Aye
Councilman Staheli	Aye
Councilman Truman	Aye
Councilman Turek	Aye

9. AWARD OF BID & RFP

- A. Consideration to award the bid for the Virgin River Sullivan Soccer Park.
Barry Blake, Leisure Services Director**

Leisure Services Director Barry Blake reviewed the bids for the Virgin River Sullivan Soccer Park. He would recommend to Council award the bid to the low bidder, Bud Mahas Construction LLC in the amount of \$4,245,621.90.

Councilman Truman made a motion to award the bid for the Virgin River Sullivan Soccer Park to Bud Mahas in the amount of \$4,245,621.90. Councilman Nisson seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

10. AGREEMENT

A. Continuation of Consideration to approve an Interlocal Cooperation Agreement to provide support to Washington County in hosting the Ironman 70.3 St. George Competition. Kevin Lewis, Director of Sports/Marketing - St George Tourism Office

Mr. Kevin Lewis explained he has addressed the issues in the agreement, which were brought to his attention by City Attorney Starkey.

City Attorney Jeff Starkey briefly reviewed the redlines within the agreement originally presented.

Councilman Staheli made a motion to approve the Interlocal Cooperation Agreement to provide support to Washington County in hosting the Ironman 70.3 St. George Competition. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

11. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

None

12. CITY MANAGER REPORT

City Manager Carter reviewed his report with Council. The work on the signal light at 2000 South has begun. The Harmon tree area is being widened and will be completed within the next two weeks. The pre-bid for the Police Building has completed and will bid on the 30th. He then reviewed the local option gas and sales tax.

13. ADJOURNMENT

Councilman Turek made a motion to adjourn the meeting. Councilman Nisson seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

Meeting adjourned at 6:55 P.M.

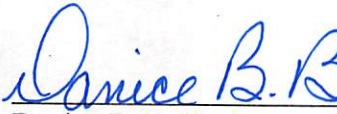
Passed and approved this 22nd day of April 2015.

Washington City




Kenneth F. Neilson, Mayor

Attest by:


Danice B. Bulloch, CMC
City Recorder

